



WILLIAM T FUJIOKA  
Chief Executive Officer

## County of Los Angeles CHIEF EXECUTIVE OFFICE

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Board of Supervisors  
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Fifth District

September 1, 2009

The Honorable Board of Supervisors  
County of Los Angeles  
383 Kenneth Hahn Hall of Administration  
500 West Temple Street  
Los Angeles, CA 90012

Dear Supervisors:

**DEPARTMENT OF PUBLIC WORKS:  
SAN PEDRO COMMUNITY AND SENIOR SERVICES CENTER ADDITION  
CITY OF LOS ANGELES  
AWARD CONSTRUCTION CONTRACT  
SPECS. 6959; CAPITAL PROJECT NO. 87001  
(FOURTH DISTRICT) (3 VOTES)**

**SUBJECT**

The recommended action will award a construction contract and allow the Department of Public Works (Public Works) to commence construction of the San Pedro Community and Senior Services Center Addition project.

**IT IS RECOMMENDED THAT YOUR BOARD:**

1. Approve the revised \$1,971,000 total project budget for construction of the San Pedro Community and Senior Services Center Addition project.
2. Find that Tobo Construction, Inc., is the apparent Lowest Responsive and Responsible Bidder, and award a construction contract for the San Pedro Community and Senior Services Center Addition project for \$898,000, subject to the satisfactory and timely receipt by the County of acceptable Faithful Performance and Payment for Labor and Materials Bonds and evidence of the contractor-required insurance.

*"To Enrich Lives Through Effective And Caring Service"*

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3. Delegate to the Director of Public Works the authority to determine, in accordance with the applicable contract and bid specifications, whether the contractor has satisfied the conditions for contract award, and authorize the Director of Public Works to execute the construction contract, in the form previously approved by County Counsel, to Tobo Construction, Inc., and to establish the effective date of the construction contract if the Director of Public Works determines that the above conditions have been satisfied.

### **PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION**

Approving the recommendations will allow construction of the San Pedro Community and Senior Services Center Addition project to commence.

The San Pedro Community and Senior Services Center is located at 769 West Third Street, Los Angeles. The proposed project consists of interior and exterior facility renovations and reconfigurations to adequately support program operations and services while making the facility Americans with Disabilities Act (ADA) compliant.

To achieve ADA compliance, the existing restrooms will receive additional stalls and other upgrades and two ADA compliant parking stalls will be provided adjacent to the existing building. Reconfigurations will include installation of a kitchenette, storage area, and two additional single-unit restrooms. The addition will include an 800-square-foot multi-purpose room at the northeast side of the existing building and two day-care classrooms with toilets, storage, and corridor along the southeast side of the existing building.

Other improvements include a slurry-coat and restriping of the facility's surface parking lot, located across the street from the community center, as well as new fencing, trash enclosure, flagpoles, landscaping and signage.

On June 16, 2009, your Board adopted plans and specifications and instructed the Executive Officer of your Board to advertise for construction bids. On July 14, 2009, 21 bids were received. Tobo Construction, Inc., was the apparent Lowest Responsive and Responsible Bidder with a total lump sum bid of \$898,000 (see Facts and Provisions/Legal Requirements for contracting details and definitions). The bid results are summarized in Attachment B.

As approved by your Board on June 16, 2009, a consultant services agreement was executed with Tobo Construction, Inc., to prepare a baseline construction schedule for a \$2,000 not-to-exceed fee, which amount will be subtracted from their total lump sum bid

as described in the Instructions to Bidders. Public Works reviewed the baseline construction schedule and finds it acceptable.

### **Sustainable Design Program**

The project will support your Board's Sustainable Design Policy by using water efficient plumbing fixtures, energy efficient light fixtures with light sensor controls, and drought-tolerant landscaping. Efficiencies resulting from these sustainable design elements are anticipated to offset utility cost increases for the classrooms and multi-purpose room.

### **Implementation of Strategic Plan Goals**

The Countywide Strategic Plan directs the provision of Operational Effectiveness (Goal 1) by improving the efficiency, quality, and responsiveness of County services to all residents. It also supports Children, Family and Adult Well-Being (Goal 2) by enhancing the ability of families to live in safe, stable, and supportive communities. Finally, the project enhances the provision of Community and Municipal Services (Goal 3) by offering a wide range of services responsive to each community's specific needs. This project will help to achieve these goals as it will benefit the San Pedro community by improving the quality of life for local residents.

### **FISCAL IMPACT/FINANCING**

The recommended construction contract with Tobo Construction, Inc., is for \$896,000, which includes the base bid of \$898,000, minus \$2,000 for the consultant services agreement previously awarded to Tobo Construction, Inc., for preparation of the baseline construction schedule.

Due to favorable bids received, the revised total project budget is \$1,971,000, instead of \$2,480,000, as previously approved by your Board, which includes construction, change orders, civic arts allocation, equipment, consultant services, miscellaneous expenditures, and County services.

The Fiscal Year 2009-10 Capital Projects Refurbishments Budget includes sufficient appropriation to fund the subject construction contract under Capital Project No. 87001. The project is fully funded by Fourth Supervisorial District Capital Project net County cost.

The revised Project Schedule and Budget Summary are included in Attachment A.

### **Operational Budget Impact**

Based on the project description, the Department of Community and Senior Services (CSS) does not anticipate any one-time, start-up or ongoing costs resulting from the recommended actions. The project provides improvements with maintenance requirements to be fulfilled with existing staff and resources. Should the necessity arise, CSS will work with the Chief Executive Office to determine the appropriate level of maintenance and available funding.

### **FACTS AND PROVISIONS/LEGAL REQUIREMENTS**

The State Public Contract Code requires the County to award construction contracts to the Lowest Responsive and Responsible Bidder, which is defined as the firm that: 1) submits the bid with the lowest cost; 2) is deemed by the County to be "responsive" to specific criteria under the solicitation, including, but not limited to licensure, bonding, and insurance requirements; and 3) is determined by the County to be a "responsible" bidder by exhibiting the capability, capacity, experience, trustworthiness, and financial wherewithal to perform the work required under the bid solicitation.

A standard contract, in the form previously approved by County Counsel, will be used. The standard Board-directed clauses that provide for contract termination, renegotiation, and hiring qualified displaced County employees will be included in the contract.

The project specifications contain provisions requiring the contractor to report solicitations of improper consideration by County employees and allowing the County to terminate the contract if it is found that the contractor offered or gave improper consideration to County employees.

As requested by your Board on August 12, 1997, and as a threshold requirement for consideration of contract award, Tobo Construction, Inc., is willing to consider Greater Avenues for Independence Program/General Relief Opportunities for Work participants for future employment.

As required by your Board, language has been incorporated into the project specifications stating that the contractor shall notify its employees, and shall require each subcontractor to notify its employees, about Board Policy 5.135 (Safely Surrendered Baby Law) and that they may be eligible for the Federal Earned Income Credit under Federal income tax laws.

Tobo Construction, Inc., is in full compliance with Los Angeles County Code Chapter 2.200 (Child Support Compliance Program) and Chapter 2.203 (Contractor Employee Jury Service Program).

To ensure that the contract is awarded to a responsible contractor with a satisfactory history of performance, bidders are required to report violations of the False Claims Act, their civil litigation history, and information regarding prior criminal convictions. The information reported was considered before making a recommendation to award.

As required by your Board, the project cost includes one percent of design and construction costs to be allocated to the Civic Art Fund per your Board's Civic Art Policy adopted on December 7, 2004.

#### **ENVIRONMENTAL DOCUMENTATION**

On July 8, 2008, your Board determined the project to be categorically exempt under the California Environmental Quality Act (CEQA) in accordance with State CEQA Guidelines, Section 15301, Class 1, Subsection (e)(1), and the County of Los Angeles Environmental Reporting Procedures and Guidelines, Appendix G, Class 1, Subsections (d) and (g)(1), adopted by your Board on November 17, 1987, because the project will involve minor alteration of existing facilities involving negligible or no expansion of use beyond that previously existing. A notice of exemption was filed with the Registrar-Recorder/County Clerk.

#### **CONTRACTING PROCESS**

On June 16, 2009, your Board adopted plans and specifications for the project at an estimated construction cost of \$1,407,000, and instructed the Executive Officer of your Board to advertise for construction bids. On July 14, 2009, 21 bids were received. Tobo Construction, Inc., was found to be the apparent lowest responsible bidder meeting the criteria adopted by your Board. The bid results are summarized in Attachment B.

Tobo Construction, Inc.'s Community Business Enterprises participation data and 3-year contracting history with the County are on file with Public Works.

As requested by your Board on February 3, 1998, this contract opportunity was listed on the Doing Business with Us website.

**IMPACT ON CURRENT SERVICES (OR PROJECTS)**

There will be no negative impact on current County services or projects during the performance of the recommended services. The facility is currently operational, and construction activities will be coordinated with the administrative and facility staff to minimize the impacts of construction activities on the community center programs and to maintain safe public access during construction.

**CONCLUSION**

Please return one adopted, stamped copy of this letter to the Chief Executive Office, Capital Projects Division; one to the Department of Public Works, Project Management Division II; and one to the Department of Community and Senior Services.

Respectfully submitted,



WILLIAM T FUJIOKA  
Chief Executive Officer

WTF:GF:DL  
DJT:RB:mc

Attachments

c: Auditor-Controller  
County Counsel  
Department of Community and Senior Services  
Department of Public Social Services (GAIN/GROW Program)  
Department of Public Works

September 1, 2009

**ATTACHMENT A**

**DEPARTMENT OF PUBLIC WORKS: SAN PEDRO COMMUNITY AND SENIOR  
SERVICES CENTER ADDITION – CITY OF LOS ANGELES  
AWARD CONSTRUCTION CONTRACT  
SPECS. 6959; CAPITAL PROJECT NO. 87001  
(FOURTH DISTRICT) (3 VOTES)**

**I. PROJECT SCHEDULE**

<b>Project Activity</b>	<b>Scheduled Completion Date</b>
Award Design Contract	07/08/2008*
Design	
Contract Execution	07/28/2008*
Construction Documents	03/02/2009*
Jurisdictional Approvals	05/15/2009*
Construction Bid and Award	09/01/2009
Construction	
Substantial Completion	06/09/2010
Project Acceptance	09/13/2010

\*Completed activity

## II. PROJECT BUDGET SUMMARY

Budget Category	Project Budget	Impact of This Action	Revised Project Budget
Land Acquisition	\$0	\$0	\$0
Construction			
Low Bid Construction Contract	\$1,407,000	(\$509,000)	\$898,000
Change Orders	\$211,050	\$0	\$211,050
Job Order Contract (Site Work)	\$0	\$0	\$0
Offsite Construction	\$17,100	\$0	\$17,100
Departmental Crafts	\$0	\$0	\$0
Youth Employment	\$0	\$0	\$0
Construction Consultants	\$0	\$0	\$0
Misc. Expense/Hazardous Materials	\$30,000	\$0	\$30,000
Telecomm Equip – Affixed to Building	\$0	\$0	\$0
Civic Arts	\$ 16,250	\$ 0	\$ 16,250
Subtotal	\$1,681,400	(\$509,000)	\$1,172,400
Programming/Development	\$0	\$0	\$0
Plans and Specifications	\$220,000	\$0	\$220,000
Consultant Services			
Deputy Inspection	\$7,000	\$0	\$7,000
Site Planning	\$0	\$0	\$0
Hazardous Materials	\$10,000	\$0	\$10,000
Geotech/Soils Test	\$20,000	\$0	\$20,000
Material Testing	\$5,000	\$0	\$5,000
Cost Estimating	\$2,500	\$0	\$2,500
Scheduling	\$2,500	\$0	\$2,500
Topographic Surveys	\$10,000	\$0	\$10,000
Construction Management	\$76,750	\$0	\$76,750
Construction Administration	\$0	\$0	\$0
Environmental	\$0	\$0	\$0
Move Management	\$0	\$0	\$0
Equipment Planning	\$0	\$0	\$0
Legal	\$0	\$0	\$0
Contract/Change Order	\$0	\$0	\$0
Other	\$ 0	\$ 0	\$ 0
Subtotal	\$133,750	\$0	\$133,750



## II. PROJECT BUDGET SUMMARY (continued)

Budget Category	Project Budget	Impact of This Action	Revised Project Budget
Miscellaneous Expenditures			
Printing	\$12,000	\$0	\$12,000
Jurisdictional Review/Plan Check/Permit Code Compliance Inspection	\$22,600	\$0	\$22,600
County Services			
Code Compliance and Quality Control Inspections	\$73,442	\$0	\$73,442
Design Review	\$0	\$0	\$0
Design Services	\$0	\$0	\$0
Contract Administration	\$5,000	\$0	\$5,000
AED Support Services	\$13,753	\$0	\$13,753
Project Management	\$5,268	\$0	\$5,268
Project Management Support Services	\$258,033	\$0	\$258,033
Secretarial	\$7,333	\$0	\$7,333
Document Control	\$15,545	\$0	\$15,545
ISD Job Order Contract Management	\$0	\$0	\$0
DPW Job Order Contract Management	\$0	\$0	\$0
ISD ITS Communications	\$0	\$0	\$0
Project Security	\$0	\$0	\$0
Project Technical Support	\$21,397	\$0	\$21,397
Consultant Contract Recovery	\$10,154	\$0	\$10,154
Office of Affirmative Action	\$0	\$0	\$0
County Counsel	\$0	\$0	\$0
Other	\$325	\$0	\$325
Sheriff Job Order Contract Management	\$0	\$0	\$0
Design Services	\$0	\$0	\$0
Subtotal	\$410,250	\$0	\$410,250
Total	\$2,480,000	(\$509,000)	\$1,971,000

September 1, 2009

**ATTACHMENT B**

**DEPARTMENT OF PUBLIC WORKS: SAN PEDRO COMMUNITY AND SENIOR  
SERVICES CENTER ADDITION – CITY OF LOS ANGELES  
AWARD CONSTRUCTION CONTRACT  
SPECS. 6959; CAPITAL PROJECT NO. 87001  
(FOURTH DISTRICT) (3 VOTES)**

The project consists of construction of approximately 2,000 additional square feet to an existing community center building.

**Bid Opening:** July 14, 2009

**Bid Summary:** See attached table.

**Financial Information:**

Public Works' fair construction cost estimate was \$1,407,000.

The contract will be issued to Tobo Construction, Inc., for \$896,000, which includes the base lump sum bid of \$898,000, minus \$2,000 for the consultant services agreement previously awarded to Tobo Construction, Inc., for preparation of the baseline construction schedule.

**BID RESULTS** (Revised 07/15/09)

**Estimate: \$1,407,000**

No.	Contractor	Lump Sum Base Bid	Daily Overhead Rate	Multiply by 30 Days	Lump Sum + (OH Daily Rate x 30 Days) Amount	Small Bus. Ent. (SBE) Y or N	Small Business Preference Reduction 5% of lowest bid amount	Total Base Bid + Daily OH Rate SBE Preference
1	Tobo Construction, Inc.	\$ 898,000	100	3,000	\$ 901,000	N*	-	\$ 901,000
2	United Contractors, Co.	\$ 980,000	1,000	30,000	\$1,010,000	N	-	\$1,010,000
3	Mackone Development, Inc.	\$1,049,000	700	21,000	\$1,070,000	N	-	\$1,070,000
4	Scrimsher Construction	\$1,036,315	1,200	36,000	\$1,072,315	N	-	\$1,072,315
5	Acon Development, Inc.	\$1,059,286	850	25,500	\$1,084,786	N	-	\$1,084,786
6	JS Electric & Construction	\$1,088,132	585	17,550	\$1,105,682	N*	-	\$1,105,682
7	GTA Construction, Inc.	\$1,135,000	800	24,000	\$1,159,000	N	-	\$1,159,000
8	Angeles Contractor, Inc.	\$1,136,000	1,000	30,000	\$1,166,000	N	-	\$1,166,000
9	Tiffany Group, Inc.	\$1,157,000	500	15,000	\$1,172,000	N*	-	\$1,172,000
10	Newman Midland Corporation	\$1,168,011	667	20,010	\$1,188,021	N	-	\$1,188,021
11	Delmac Construction & Development, Inc.	\$1,197,000	750	22,500	\$1,219,500	N*	-	\$1,219,500
12	C. G. Construction, Inc.	\$1,244,700	250	7,500	\$1,252,200	N	-	\$1,252,200
13	MTM Construction, Inc.	\$1,242,000	400	12,000	\$1,254,000	N	-	\$1,254,000
14	General Consolidated Constructors, Inc.	\$1,277,000	892	26,760	\$1,303,760	N	-	\$1,303,760
15	G-2000 Construction, Inc.	\$1,298,000	500	15,000	\$1,313,000	N*	-	\$1,313,000
16	GB Construction, Inc.	\$1,351,500	550	16,500	\$1,368,000	Y	\$44,900.00	\$1,323,100
17	Universal Concrete Cutting, Inc.	\$1,310,000	1,500	45,000	\$1,355,000	N	-	\$1,355,000
18	Woodcliff Corporation	\$1,352,000	250	7,500	\$1,359,500	N	-	\$1,359,500
19	Y&M Construction, Inc.	\$1,489,310	650	19,500	\$1,508,810	N*	-	\$1,508,810
20	Fast-Track Construction	\$1,488,144	1,119	33,570	\$1,521,714	N	-	\$1,521,714
21	Cornerstone General, Inc.	\$1,719,210	500	15,000	\$1,734,210	N	-	\$1,734,210

\* Vendor claimed SBE Preference, but is not SBE certified with the Office of Affirmative Action Compliance